

A PROFESSIONAL CORPORATION 1000 EAGLE GATE TOWER 60 EAST SOUTH TEMPLE SALT LAKE CITY, UTAH 84111 ELEPHONE (801) 533-9800 ACSIMILE (801) 328-1707

RICK D. NYDEGGER DAVID O. SEELEY BRENT P. LORIMER THOMAS R. VUKSINICK LARRY R. LAYCOCK JONATHAN W. RICHARDS DAVID R. WRIGHT JOHN C. STRINGHAM JOHN M. GUYNN CHARLES L. ROBERTS GREGORY M. TAYLOR DANA L. TANGREN ERIC L MASCHOFF CHARLES J. VEVERKA ROBYN L PHILLIPS RICHARD C. GILMORET DAVID B. DELLENBACH KEVIN K. JOHANSON R. BURNS ISPAELSEN DAVID R. TODD

. DAVID GRIFFIN FRASER D. ROY CARL T. REED JESÚS JUANÓS I TIMONEDA, PH.D. R. PARRISH FREEMAN, JR. PETER F. MALEN, JR. ADRIAN J. LEE DAVID B. TINGEY L. REX SEARS, PH.D ERIC M. KAMERATH ROBERT F. AYCOCK JENS C. JENKINS KEVIN W. STINGER WILLIAM J. ATHAY WILLIAM R. RICHTER* † ADMITTED ONLY IN CALIFORNIA ADMITTED ONLY IN PENNSYLVANIA H. ROSS WORKMAN OF COUNSEL

PATENTS TRADEMARKS COPYRIGHTS TRADE SECRETS UNFAIR COMPETITION **LICENSING** COMPLEX LITIGATION

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EXPRESS MAIL LABEL NO.: EL 656 157 252 US

PATENT APPLICATION Docket No.:14531.5.1.5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL FOR INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents Washington, DC 20231

RECEIVED AUG 0 3 2001 Technology Center 2100

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

<u>X</u>	Form PTO-1449 list of fifty-seven (57) references submitted for consideration.
	Legible copies of the listed references or their relevant portions.
	All English translations of each nonenglish reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

 Concise	explanation	of	relevance	of	each	reference	not	in	English	and
unaccom	panied by an	Eng	lish translat	ion.						

Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference. X Statement that certain listed references not enclosed were previously cited by or submitted to the Office in the identified prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120. X Legible Copies of previously filed Information Disclosure Statement for application Serial Nos. 09/437,887, filed November 9, 1999, 09/106,937, filed June 30, 1998, and 08/660,088, filed June 3, 1996. In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed: Promptness Certification. in the amount of \$240.00 constituting submission fee Check No. under 37 C.F.R. 1.17(p); Petition for Consideration and Check No. _____ in the amount of In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that X the Promptness Certification meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned. Dated this 31 day of TUCY

Respectfully submitted,

RICK D. NYDEGGERA Attorney for Applicant Registration No. 28,651

022913

PATENT TRADEMARK OFFICE

GERFIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)
Applicant(s): Joe F. Britt, Jr.

Applicant(s): Joe F. Britt, Jr.

Serial No.

O9/851,402

May 8, 2001

Invention: DOWNLOADING SOFTWARE FROM A SERVER TO A CLIENT

Docket No.

14531.5.1.5

Examiner Unit Unit Unit O9/851,402

One of the confirmation No.

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Technology Center 2100

JOLIN JOHNSON

(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

EL 656 157 252 US

("Express Mail" Mailing Label Number)

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EXPRESS MAIL LABEL NO.: EL 656 157 252 US

PATENT APPLICATION Docket No.: 14531.5.1.5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	·)
	Joe F. Britt, Jr.)
Serial No.:	09/851,402) Art Unit) 2173
Filed:	May 8, 2001)
Confirmation No.:	1907)
For:	DOWNLOADING SOFTWARE FROM A SERVER TO A CLIENT))

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97

AUG 0 3 2001
Technology Center 2100

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of

which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

Statement of References Previously Disclosed Under 37 C.F.R. § 1.98(d)

The following listed references are not enclosed because, under 37 C.F.R. § 1.98(d), they were previously cited by or submitted to the Office in application numbers 09/437,887, filed November 9, 1999, 09/106,937, filed June 30, 1998, and 08/660,088, filed June 3, 1996, which are relied upon for an earlier filing date under 35 U.S.C. § 120.

U.S.	Patent Documents

				•
4,575,579	5,299,307	5,538,255	5,678,002	5,752,246
4,852,151	5,325,423	5,558,339	5,680,645	5,778,372
4,922,523	5,329,619	5,561,709	5,695,400	5,818,441
4,975,944	5,341,293	5,564,001	5,696,899	5,844,552
4,995,074	5,369,688	5,586,257	5,701,451	5,854,630
5,005,011	5,410,541	5,586,260	5,706,434	6,049,671
5,095,494	5,425,092	5,612,730	5,706,502	6,052,803
5,220,420	5,469,540	5,623,600	5,710,918	
5,241,587	5,488,411	5,654,886	5,717,860	,
5,263,084	5,490,208	5,657,390	5,732,268	
5,287,401	5,530,852	5,657,448	5,748,896	
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Other Documents

Administrator's Guide, Netscape Proxy Server Version 2.0, Netscape Communications Corporation, pp. 19-20, 1996.

Chankhunthod, Anawat et al., "A Hierarchical Internet Object Cache," 1996 USEWIX Technical Conference (6 pages).

Farrow, Rik; InfoWorld, "Securing the Web: fire walls, proxy servers, and data driven attacks," June 19, 1995; vol. 17, no. 25 (page 103 (1)).

Rosoff, Matt, Review: "Gateway Destination PC," c/net inc., Feb. 19, 1996 (2 pages).

Seidman, Robert, Article: "What Larry and Lou Know (That You Don't)," c/net inc., Jan. 29, 1996 (2 pages).

Stellin, Susan, Article: "The \$500 Web Box: Less is More?" c/net inc., 1996 (2 pages).

Please credit any over payment or charge any additional fees to Deposit Account No. 3-3178 of the undersigned.

Dated this 31 day of Juy, 2001.

Respectfully submitted,

Attorney for Applicant Registration No. 28,651

022913

PATENT TRADEMARK OFFICE

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PRESS MAIL LABEL NO.: EL 656 157 252 US

Form PTO-1449

Sheet 1 of 5

Group: 2173

Att'y Docket No.: 14531.5.1.5

Applicant:

Joe F. Britt, Jr.

Serial No.: Filing Date:

09/851,402 May 8, 2001

Confirmation No.:

1907

For:

DOWNLOADING SOFTWARE FROM A SERVER TO A CLIENT

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

Examiner <u>Initial*</u>	Patent <u>Number</u>	Issue <u>Date</u>	Name	Class	Sub <u>Class</u>	Filing <u>Date</u>
A1.	4,575,579	03/1986	Simon et al.	178	4	
A2.	4,852,151	07/1989	Dittakavi et al.	379	97	
A3.	4,922,523	05/1990	Hashimoto	379	96	Dn.
A4.	4,975,944	12/1990	Cho	379	209	RECEIVED
A5.	4,995,074	02/1991	Goldman et al.	379	\sim 7	7 1/ 3 5
A6.	5,005,011	04/1991	Perlman et al.	340	728	Tology Center 2100
A7.	5,095,494	03/1992	Takahashi et al.	375	10	-100
A8.	5,220,420	06/1993	Hoarty et al.	358	86	
A9.	5,241,587	08/1993	Horton et al.	379	93	
A10.	5,263,084	11/1993	Chaput et al.	379	215	a)
A11.	5,287,401	02/1994	Lin	379	98	
A12.	5,299,307	03/1994	Young	395	161	
A13.	5,325,423	06/28/94	Lewis	379	90	11/13/92

Examiner:

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

MADEL PRESS MAIL LABEL NO.: EL 656 157 252 US

Form PTO-1449

Sheet 2 of 5

Applicant:

Joe F. Britt, Jr.

Serial No.:

09/851,402

Filing Date: May 8, 2001 Att'y Docket No.: 14531.5.1.5

Group: 2173

Confirmation No.:

1907

For:

DOWNLOADING SOFTWARE FROM A SERVER TO A CLIENT

	A 1 A	5 220 (10	07/12/04	Dec. 14-1	205	200	10/20/02
	_ A14.	5,329,619	07/12/94	Page et al.	395	200	10/30/92
	_ A15.	5,341,293	08/1994	Vertelney et al.	364	419.17	
	_ A16.	5,369,688	11/199	Tsukamoto et al.	379	100	
	_ A17.	5,410,541	04/1995	Hotto	370	76	RECEIVED
	_ A18.	5,425,092	06/1995	Quirk	379	215	AUG 0 3 2001
	_ A19.	5,469,540	11/1995	Powers, III et al.	395	158 Tec	Chnology Center 2100
	_ A20.	5,488,411	01/30/96	Lewis	348	8	03/14/94
	_ A21.	5,490,208	02/1996	Remillard	379	96	
	_ A22.	5,530,852	06/1996	Meske, Jr. et al.	395	600	
· · · · · · · · · · · · · · · · · · ·	_ A23.	5,538,255	07/23/96	Barker	463	41	02/18/92
	_ A24.	5,558,339	09/24/96	Perlman	463	42	05/05/94
	_ A25.	5,561,709	10/1996	Remillard	379	96	
	_ A26.	5,564,001	10/08/96	Lewis	395	154	06/24/94
	_ A27.	5,586,257	12/17/96	Perlman	463	42	05/05/94
	_ A28.	5,586,260	12/1996	Hu	395	200.2	
	_ A29.	5,612,730	03/18/97	Lewis	348	8	03/03/95
	_ A30.	5,623,600	04/1997	Ji et al.	395	187.01	•

Examiner:

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ÉXPRESS MAIL LABEL NO.: EL 656 157 252 US

Form PTO-1449

Joe F. Britt, Jr.

Applicant: Serial No.:

09/851,402

Filing Date:

May 8, 2001

Confirmation No.:

1907

For:

DOWNLOADING SOFTWARE FROM A SERVER TO A CLIENT

Sheet 3 of 5

Group: 2173

Att'y Docket No.: 14531.5.1.5

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	_ A31.	5,654,886	08/1997	Zereski, Jr. et al.	364	420	HUG 0 3 2001
	_ A32.	5,657,390	08/1997	Elgamal et al.	380	49	Technology Center 2100
	_ A33.	5,657,448	08/12/97	Wadsworth et al.	395	200.5	11/18/92
	_ A34.	5,678,002	10/14/97	Fawcett et al.	395	183.01	
	_ A35.	5,680,645	10/21/97	Russell et al.	395	868	11/18/92
	_ A36.	5,695,400	12/1997	Fennell, Jr. et al.	463	42	
	_ A37.	5,696,899	12/09/97	Kalwitz	395	200.1	11/18/92
	_ A38.	5,701,451	12/1997	Rogers et al.	395	600	
****	A39.	5,706,434	01/06/98	Kremen et al.	395	200.09	07/06/95
	A40.	5,706,502	01/06/98	Foley et al.	395	610	03/26/96
 	_ A41.	5,710,918	01/1998	Lagarde et al.	395	610	
	_ A42.	5,717,860	02/1998	Eraber et al.	395	200.12	
	_ A43.	5,732,268	03/24/98	Bizzarri	395	652	
	A44.	5,748,896	05/05/98	Daly et al.	395	200.53	12/27/95
	A45.	5,752,246	05/1998	Rogers et al.	707	10	
	_ A46.	5,778,372	07/1998	Cordell et al.	707	100	
	_ A47.	5,818,441	10/1998	Throckmorton et al.	345	328	

Examiner:

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

EXPRESS MAIL LABEL NO.: EL 656 157 252 US Sheet 4 of 5 Form PTO-1449 Applicant: Joe F. Britt, Jr. Serial No.: 09/851,402 Att'y Docket No.: 14531.5.1.5 Group: 2173 Filing Date: May 8, 2001 Confirmation No.: 1907 DOWNLOADING SOFTWARE FROM A SERVER TO A CLIENT For: 12/1998 Gaughan et al. 327 A48. 5,844,552 345 A49. Nielsen 345 352 5,854,630 12/1998 A50. 6,049,671 04/11/00 Sliuka et al. 395 712 49 A51. 6,052,803 04/18/00 Blagtia et al. 714 Technology Center 2100 Other Documents (including author (if listed), title, relevant pages, date of publication including at least month and year). Examiner Initial* A52. Administrator's Guide, Netscape Proxy Server Version 2.0, Netscape Communications Corporation, pp. 19-20, 1996. A53. Chankhunthod, Anawat et al., "A Hierarchical Internet Object Cache," 1996 USEWIX Technical Conference (6 pages). A54. Farrow, Rik; InfoWorld, "Securing the Web: fire walls, proxy servers, and data driven attacks," June 19, 1995; vol. 17, no. 25 (page 103 (1)). Rosoff, Matt, Review: "Gateway Destination PC," c/net inc., Feb. 19, 1996 (2) A55. pages). Seidman, Robert, Article: "What Larry and Lou Know (That You Don't)." A56. c/net inc., Jan. 29, 1996 (2 pages). A57. Stellin, Susan, Article: "The \$500 Web Box: Less is More?" c/net inc., 1996 (2 pages).

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EXPRESS MAIL LABEL NO.: EL 656 157 252 US

Form PTO-1449

Sheet 5 of 5

Applicant:

Joe F. Britt, Jr.

Serial No.: Filing Date: 09/851,402 May 8, 2001 Att'y Docket No.: 14531.5.1.5

Group: 2173

Confirmation No.:

For:

May 8, 2001
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DOWNLOADING SOFTWARE FROM A SERVER TO A CLIENT ECEIVED

References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is near 2100 governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

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Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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*A copy of this reference is not being funished with this Office action.

(See Manual of Patent Examining Procedure, Section 797.05(a).)

U.S. Patent and Trademari Office PTO-892 (Rev. 9-96)

Part of Paper No.

Form PTO-1449

Applicant:

Joe F. Britt, Jr., et al.

Serial No.:

Filing Date:

For:

November 9, 1999

09/437,887

Att'y Docket No. 14531.5.1.3

Group: unknown

Sheet 1 of 2

DOWNLOADING SOFTWARE FROM A SERVER TO A CLIENT

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

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Examiner <u>Initial*</u>	Patent Number	Issue <u>Date</u>	<u>Name</u>	Class	Sub <u>Class</u>	nology Center 2100 Date
A1	5,325,423	06/28/94	Lewis	379	90	11/13/92
A2	5,488,411	01/30/96	Lewis	348	8	03/14/94
A3	5,538,255	07/23/96	Barker	463	41	02/18/92
A4	5,558,339	09/24/96	Perlman	463	42	05/05/94
A5	5,564,001	10/08/96	Lewis	395	154	06/24/94
A6	5,586,257	12/17/96	Perlman	463	42	05/05/94
A7	5,612,730	03/18/97	Lewis	348	8	03/03/95
A8	5,657,448	08/12/97	Wadsworth et al.	395	200.5	11/18/92
A9	5,680,645	10/21/97	Russell et al.	395	868	11/18/92
A10	5,696,899	12/09/97	Kalwitz	395	200.1	11/18/92
A11	5,706,434	01/06/98	Kremen et al.	395	200.09	07/06/95
A12	5,706,502	01/06/98	Foley et al.	395	610	03/26/96
A13	5,748,896	05/05/98	Daly et al.	395	200.53	12/27/95

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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449

Applicant:

Joe F. Britt, Jr., et al.

Serial No.:

09/437,887

Filing Date:

For:

November 9, 1999

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Sheet 2 of 2

Att'y Docket No. 14531.5.1.3

Group: unknown

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Other Documents

DOWNLOADING SOFTWARE FROM A SERVER TO A CLIENT

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(including author (if listed), title, relevant pages, date of publication including at least month and year).

| Technology Center 2106

Examiner Initial*	Technology Center 2100
A14	Administrator's Guide, Netscape Proxy Server Version 2.0, Netscape Communications Corporation, pp. 19-20 1996.
A15	Chankhunthod, Anawat et al., "A Hierarchical Internet Object Cache," 1996 USEWIX Technical Conferenc (6 pages).

References Cited by Applicants

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The reference designations "A1", "A2", etc. (referring to Applicant's reference 1, Applicant's reference 2, etc. will be used by the Examiner in the same manner as Examiner's reference designations "A", "B", "C", etc. on Office Action Form PTO-1142.

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Part of Paper No.

Applicant:

Joe F. Britt, Jr et al.

Serial No.:

09/106,93

June 30, 1998

Att'y Docket No.14531.5.1.1

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INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Other Documents

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While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

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APPLICANT

CHRISTOPHER WHITE, et al.

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